



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

KTF/BW/DIB
F. #2024R00288

*271 Cadman Plaza East
Brooklyn, New York 11201*

September 11, 2024

By ECF

The Honorable Pamela K. Chen
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

The Honorable LaShann DeArcy Hall
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Long Phi Pham (“Pham”)
Criminal Docket Number 24-359 (PKC)
and
United States v. Jontay Porter (“Porter”)
Criminal Docket Number 24-270 (LDH)

Dear Judge Chen and Judge DeArcy Hall:

Pursuant to Rule 4 of the Rules for the Division of Business for the Eastern District of New York, the government hereby notifies the Court that the above-captioned cases (“Pham” and “Porter”) are presumptively related.

Rule 4(b)(1) provides for “a presumption that one case is ‘related’ to another when the facts of each arise out of the same charged criminal scheme(s), transaction(s), or event(s), even if different defendants are involved in each case.” Rule 4(c)(1) directs the United States Attorney’s Office to “give notice to all relevant Judges whenever it appears that one case may be presumptively related to another pursuant to Rule 4(b) above.”

This letter constitutes the notice directed by Rule 4(c)(1). Pham and Porter are presumptively related because the facts of their cases arise out of the same events. Specifically, Pham and Porter charge the same wire fraud conspiracy and the sole defendant in Porter is the

individual identified as “Player 1” in a previously-filed complaint against the defendant in Pham. See 24-MJ-404.¹

Accordingly, because Pham and Porter arise out of the same events, they are presumptively related. Given this overlap, the government respectfully submits that reassignment of Pham would be appropriate, as reassignment would likely result in a significant savings of judicial resources and serve the interests of justice.

Respectfully submitted,

BREON PEACE
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By: /s/
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cc: Clerk of Court (by ECF and E-Mail)
Michael Soshnick (by ECF and E-Mail)

¹ On July 10, 2024, Porter pled guilty before Hon. James R. Cho, to conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349. He is pending sentencing.